

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

RICHARD A. CLARK and JENNIFER
CLARK,

Plaintiffs,

v.

RIVER METALS RECYCLING, LLC and
SIERRA INTERNATIONAL MACHINERY,
LLC,

Defendants.

Case No. 3:15-cv-00447-JPG-RJD

MEMORANDUM AND ORDER

J. PHIL GILBERT, DISTRICT JUDGE

This matter comes before the Court on the plaintiffs' appeal of Magistrate Judge Daly's order regarding numerous discovery issues. (Docs. 216, 217.) Defendant Sierra International Machinery, LLC has responded. (Doc. 218.) The Court **GRANTS in part** the plaintiffs' appeal and **RE-OPENS** discovery in this case on a limited basis for 45 days, until May 7, 2018. The plaintiffs shall be limited to five (5) depositions within this 45 day period.

There are two pending motions for summary judgment in this case: defendant River Metals Recycling, LLC's motion (Doc. 98) and defendant Sierra International Machinery, LLC's motion (Doc. 145). The plaintiffs' response to the latter motion is currently due by April 16, 2018. Because of the discovery extension, the Court will also **EXTEND** the plaintiffs' response deadline to May 25, 2018. If Sierra International Machinery, LLC believes that they need to re-file their motion for summary judgment following the additional discovery period, then they should petition the Court to do so. The Court **RESERVES** ruling on River Metals Recycling, LLC's motion for summary judgment and will address both motions for summary judgment in one order.

IT IS SO ORDERED.

DATED: MARCH 23, 2018

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE